(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.6604 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.	Court's or Judge's orders

Shri H.S.Venegavkar for the petitioners.

Shri P.D.Dalvi for the respondents.

--

CORAM: R.M.S.KHANDEPARKAR, J

DATED: 7th October, 2006.

P.C.

. Heard. Undisputedly, the parties, by consent, had arrived at amicable settlement as regards the need for disposal of the proceedings under Exhibit-5 before the Co-operative Court within a period of 15 days from 8th September, 2006. Undisputedly, the petitioner had sought adjournment of the matter and the Co-operative Court having sought extension of the time, has heard the parties at length yesterday i.e. 6th October, 2006 and the matter is fixed today i.e. 7th October, 2006 for orders. The parties themselves

have consented for extension of time and having argued the matter yesterday i.e. 6th October, 2006 and the matter having been fixed today i.e. 7th October, 2006, there is absolutely no case for interference in the matter merely because the matter is fixed for judgment today. The apprehension of the petitioner that 95 persons whose memberships are in dispute may not be allowed to vote or they may be disqualified by the Co-operative Court, that itself cannot be a justification for interference in the matter in writ jurisdiction. The parties having obtained the order by consent from the lower appellate court, there is no question of interference in the matter in writ jurisdiction. Hence, the petition is rejected with costs.

(R.M.S.KHANDEPARKAR, J)